**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**
**SIDE JURISDICTION**
**CRIMINAL APPLICATION NO.1108 OF 2006**
**IN**
**CRIMINAL APPEAL NO.751 OF 2004**

Shri Suresh Govind Naik ...Applicant.
V/s.
C.B.I. & Anr. ...Respondents.

Shri V.M.Bhardwaj adv. for the Applicant.
Shri H.V.Mehta, adv. for the Respondent No.1.
Shri Y.S.Shinde APP for the State.

**CORAM: J.H.BHATIA, J.**
**DATE : 12TH April, 2007.**

**P.C.:**

1. Heard Mr.Bhardwaj the learned counsel for the applicant and Mr.Mehta the learned counsel for the respondent no.1.

2. This application was made by the applicant mainly on the ground that he is not keeping good health and it was necessary that he be released so that he could take treatment. He also contended that he is suffering part paralysis, brain haemorrhage, hyper tension and has been advised complete rest.

3. Medical report was called and as per the report received from Department of Medicine, Grant Medical College & Sir J.J.Gr. of Hospitals, Mumbai dated 11th April, 2007 it appears that ECG, CT scan brain and

neurologist tests were carried out. CT scan brain report dated 22nd March, 2007 was suggestive of periventricular ischemic changes. 2D Echocardiography was suggestive of moderate left ventricular function (40%) with regional wall motion akinesia. After examination on 29-3-2007, he was discharged as results of investigations were normal. His general condition and systematic examination were also normal. However, he was advised to continue treatment from Urologists for his prostate disease and was also advised to continue treatment from Cardiology OPD in view of myocardial infarction.

4. The learned counsel for the applicant makes a statement that the applicant is not in a position to deposit fine amount because besides imprisonment of 5 years, fine of Rs.20 lakh was awarded by the trial Court. Taking into consideration the medical report, I find that there is nothing to suggest that his condition is serious and he could not be given appropriate treatment while in jail.

5. Therefore, application for bail stands rejected.

6. Further the Superintendent Central Jail, Nashik

is hereby directed to see that proper treatment is given to the applicant for the prostate disease as well as the myocardial infarction, as per the report dated 11th April, 2007. As and when needed, he shall be taken to the District Civil Hospital or any other centre as may be advised by the concerned doctors.

**(J.H.Bhatia,J.)**

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Shri Suresh Govind Naik ...Appellant.
V/s.
C.B.I. & Anr. ...Respondents.

Shri V.M.Bhardwaj adv. for the Appellant.
Shri H.V.Mehta, adv. for the Respondent No.1.
Shri Y.S.Shinde APP for the State.

**CORAM: J.H.BHATIA, J.**
**DATE : 12TH April, 2007.**

**P.C.:**

1. Heard the learned counsel for the Parties.

2. The bail application of the appellant is rejected. He is in jail for the last more than one year. Total sentence of imprisonment is five years with fine of Rs.20 lakh. Final hearing of the appeal be expedited after receipt of paper-book. Paper-book be prepared within 8 weeks.

**(J.H.Bhatia,J.)**